

107TH CONGRESS
1ST SESSION

H. R. 1075

To allow any business or individual in any State experiencing a power emergency to operate any type of power generation available to ensure their economic stability, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 2001

Mr. HUNTER (for himself, Mr. ROYCE, Mr. POMBO, Mr. ROHRABACHER, Mr. HORN, Mr. RADANOVICH, Mr. DOOLITTLE, Mr. GARY MILLER of California, Mrs. BONO, Mr. CALVERT, Mr. OSE, Mr. CUNNINGHAM, and Mr. ISSA) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To allow any business or individual in any State experiencing a power emergency to operate any type of power generation available to ensure their economic stability, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. EMERGENCY GENERATION.**

4 (a) IN GENERAL.—Notwithstanding any other provi-
5 sion of law, any business or individual in any State experi-
6 encing a power emergency on any day may operate, at any
7 time during that day, any type of power generation avail-

1 able, using any type of fuel available, to ensure the eco-
2 nomic stability of such business or individual.

3 (b) AVAILABILITY OF INFORMATION.—Any person or
4 State official having information regarding the available
5 supply of electricity in a State, or the projected electric
6 demand for electricity in that State, shall promptly make
7 such information available to the Secretary of Energy or
8 the Federal Energy Regulatory Commission, upon re-
9 quest. Any person or State official who fails or refuses
10 to comply with any such request shall be subject to a civil
11 penalty in the amount of \$10,000 for each day during
12 which such failure or refusal continues.

13 (c) ATTAINMENT OR NONATTAINMENT STATUS.—No
14 emissions attributable to generation permitted solely by
15 reason of subsection (a) shall be taken into account for
16 purposes of determining under Part C or D of title I of
17 the Clean Air Act the attainment or nonattainment status
18 of any area in a State affected by such emissions or for
19 purposes of determining the nonattainment classification
20 or attainment date of any such area under such Part D.

21 (d) DEFINITION.—For purposes of this Act, the term
22 “power emergency” means that the Secretary of Energy
23 or the Federal Energy Regulatory Commission has deter-
24 mined that the available supply of electricity in a State

- 1 on the day concerned is not more than 110 percent of the
- 2 projected electric demand for the day concerned.

